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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**
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7 TIMOTHY HOWARD JOHNSON,

8 Petitioner,

9 vs.

10 ROBERT LeGRAND, *et al.*,

11 Respondents.
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Case No. 3:15-cv-00258-HDM-WGC

ORDER

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14 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254
15 by a Nevada state prisoner. Petitioner has failed to submit either a motion for leave to proceed *in*
16 *forma pauperis* or payment of the \$5.00 filing fee. Petitioner shall be sent a motion for leave to
17 proceed *in forma pauperis* form, should he wish to apply for pauper status, and alternatively given
18 an opportunity to pay the requisite filing fee.

19 **IT IS THEREFORE ORDERED** that the Clerk shall send to petitioner a new motion for
20 leave to proceed *in forma pauperis* form and instructions. Petitioner shall have **thirty (30) days**
21 from the date of entry of this order within which to file a motion for leave to proceed *in forma*
22 *pauperis*. Alternatively, petitioner shall have **thirty (30) days** from the date of entry of this order
23 within which to have prison officials deduct from his prison account and send to the Clerk of Court
24 the full \$5.00 filing fee. Failure to do so may result in the dismissal of this action.

25 Dated this 26th day of October, 2015.

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27 HOWARD D. McKIBBEN
28 UNITED STATES DISTRICT JUDGE